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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/714,785	11/15/2000	Jonathan J. Hull	15358-006110US	5217

20350 7590 12/07/2004

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EXAMINER

DODDS, HAROLD E

ART UNIT

PAPER NUMBER

2167

DATE MAILED: 12/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/714,785

Applicant(s)

HULL ET AL.

Examiner

Harold E. Dodds, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19,24 and 32-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19,24 and 32-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/30/04, 6/18/04</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### **Claim Rejections - 35 USC § 103**

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1, 3, 4, 6, 7, 9, 15, 16, 18, 24, 32, 34, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamise (Unexamined Japanese Patent JP 10246041A Machine Assisted Translation) and DeLaHuerger (U.S. Patent No. 6,779,024).

3. Kamise renders obvious independent claim 1 by the following:  
“...a display...” at page 15, sec. 0012.  
“...one or more input devices...” at page 15, sec. 0012.  
“...a storage...” at page 4, diagram item 401.

"...a processor..." at page 4, diagram item 200.

"...and one or more sensors..." at page 12, sec. 0009.

"...wherein said processor is configured to gather information provided by a visitor using at least one input device from said one or more input devices responsive to prompts provided by said processor through said display..." at page 15, sec. 0012.

"...wherein said processor is configured to substantially contemporaneously gather information about said visitor using at least one sensor from said one or more sensors..." at page 12, sec. 0009.

"...wherein said processor is configured to communicate a portion of the information about said visitor gathered from said at least one input device and said at least one sensor..." at page 12, sec. 0009.

"...and a portion of said additional information to a user..." at pages 14-15, sec. 0011.

"...and wherein said processor is configured to store said information about said visitor gathered from said at least one input device and said at least one sensor into said storage..." at pages 19-20, sec. 0018.

However, Kamise does not teach the obtaining of additional information outside of information gathered at the interactive session.

4. However, DeLaHuerga teaches the obtaining of additional information outside of information gathered at the interactive session as follows:

"...wherein said processor is configured to determine additional information about said visitor..." at col. 39, lines 14-23.

"...based upon said information about said visitor..." at at col. 39, lines 14-23.

"...gathered from said at least one input device and said at least one sensor..." at col. 5, lines 13-16 and col. 60, lines 17-20.

"...additional information about said visitor..." at col. 39, lines 14-23.

"...that is not provided by the visitor using the one or more input devices..." at col. 45, lines 39-42, col. 39, lines 14-23, and col. 5, lines 12-16.

"...and is not gathered by the one or more sensors..." at col. 45, lines 39-42 and col. 60, lines 17-20.

It would have been obvious to one of ordinary skill at the time of the invention to combine DeLaHuerga with Kamise to provide additional information from wrist bracelets with an imbedded chip in order to provide doctors with additional details on the medical history of the visitor. Identification information stored on the chip allows the access of information across a web interface allows the system to access information that is not stored on the local database.

5. As per independent claim 16, the "...gathering information about a visitor in an interactive session with an automated kiosk..." is taught by Kamise at page 12, sec. 0009,

the "...placing said information into a format in which said information may be stored..." is taught by Kamise at pages 19-20, sec. 0018,

the "...storing said information for retrieval..." is taught by Kamise at pages 19-20, sec. 0018,

the "...and based upon said gathered information about said visitor..." is taught by Kamise at page 12, sec. 0009,

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the "...automatically obtaining additional information about said visitor from one or more sources...", is taught by DeLaHuerga at col. 39, lines 14-23,

the "...the additional information comprising information that is not provided during the interactive session...", is taught by DeLaHuerga at col. 39, lines 14-23, col. 45, lines 39-42, and col. 50, lines 35-38,

the "...and communicating at least a portion of said gathered information...", is taught by Kamise at page 12, sec. 0009,

and the "...and at least a portion of said additional information to a user...", is taught by Kamise at pages 14-15, sec. 0011.

6. As per independent claim 24, the "...code for gathering information about a visitor in an interactive session with an automated kiosk...", is taught by Kamise at page 12, sec. 0009,

the "...code for placing said information into a format in which said information may be stored...", is taught by Kamise at pages 19-20, sec. 0018,

the "...code for storing said information for retrieval...", is taught by Kamise at pages 19-20, sec. 0018,

the "...code for obtaining, based upon said gathered information about said visitor additional information about said visitor from one or more sources...", is taught by DeLaHuerga at col. 37, lines 53-56, col. 38, lines 1-4, col. 39, lines 14-23, and col. 19, lines 55-58,

the "...the additional information comprising information that is not provided during the interactive session...", is taught by DeLaHuerga at col. 39, lines 12-23, col. 45, lines 39-42, and col. 50, lines 35-38,

the "...code for providing said additional information about said visitor...", is taught by Kamise at pages 14-15, sec. 0011,

the "...and said information about said visitor gathered at said kiosk to a person interested in said information...", is taught by Kamise at page 12, sec. 0009,

and the "...and a computer readable storage medium for holding the codes...", is taught by Kamise at page 4, diagram item 401.

7. As per independent claim 35 the "...one or more input devices..." is taught by Kamise at page 15, sec. 0012,

the "...one or more sensors configured to capture information about a visitor..." is taught by Kamise at page 12, sec. 0009,

the "...a data processing system..." is taught by Kamise at page 4, design item 200,

the "...and a communication interface..." is taught by DeLaHuerga at col. 39, lines 10-14,

the "...wherein the data processing system is configured to receive information provided by the visitor using the one or more input devices..." is taught by Kamise at page 15, sec. 0012,

the "...and information about the visitor captured by the one or more sensors..." is taught by Kamise at page 12, sec. 0009,

the "...wherein the data processing system is configured to determine additional information about the visitor..." is taught by DeLaHuerga at col. 39, lines 14-23, the "...based upon the information provided by the visitor using the one or more input devices..." is taught by Kamise at page 15, sec. 0012, "...and the information about the visitor captured by the one or more sensors..." is taught by Kamise at page 12, sec. 0009, the "...the additional information..." is taught by DeLaHuerga at col. 39, lines 14-23, the "...comprising information that is not provided by the visitor using the one or more input devices..." is taught by DeLaHuerga at col. 39, lines 14-23, col. 45, lines 39-42, and col. 5, lines 12-16, the "...and information that is not captured by the one or more sensors..." is taught by DeLaHuerga at col. 39, lines 14-23, col. 45, lines 39-42, and col. 60, lines 17-20, the "...wherein the communication interface is configured to communicate the additional information..." is taught by DeLaHuerga at col. 39, lines 10-14 and col. 39, lines 14-23, and the "...to a person to be visited by the visitor..." is taught by Kamise at page 22, sec. 0022.

8. As per claim 3, the "...an audio output device, configured to output audio information to said visitor, said audio information determined based upon said information about said visitor gathered from said at least one input device and said at least one sensor...", is taught by Kamise at page 12, sec. 0009.

9. As per claim 4, the "...said information gathered about said visitor...", is taught by Kamise at page 12, sec. 0009,



the "...comprises at least one of information about a name of said visitor, an organization represented by a said visitor...", is taught by Kamise at pages 19-20, sec. 0018,

the "...a purpose of a visit, a date of a visit, a time of a visit, a person to be visited...", is taught by Kamise at pages 25-26, sec. 0026,

and the "...and an identity of a group of visitors visiting together...", is taught by Kamise at pages 19-20, sec. 0018 and pages 25-26, section 0026.

10. As per claim 6, the "...a scanner that is configured to scan at least one of a first side and a second side of a business card having printing on at least one of said first side and said second side...", is taught by Kamise at pages 14-15, sec. 0011, the "...and wherein, responsive to detecting text on said at least one of said first side and said second side...", is taught by Kamise at page 23, sec. 0023, and the "...said processor processes said text in accordance with a language of said text...", is taught by Kamise at pages 19-20, sec. 0018.

11. As per claim 7, the "...a microphone, wherein said microphone provides input of speech of said visitor...", is taught by Kamise at pages 14-15, sec. 0011.

12. As per claim 9, the "...a speaker, wherein said information gathered about said visitor comprises information indicating a person to be visited and wherein said speaker is configured to output directions to reach said person to be visited...", is taught by Kamise at pages 14-15, sec. 0011. Please note, Kamise teaches the use of a touch panel to identify the person to be visited and a printed map to provide directions to reach this person. These are equivalent functions to functions identified in this claim.

13. As per claim 15, the "...wherein said processor is configured to determine said additional information about said visitor using a web interface...", is taught by DeLaHuergera at col. 39, lines 14-23 and col. 17, lines 60-62.

14. As per claim 18, the "...determining a person to be visited by said visitor based upon said information gathered about said user...", is taught by Kamise at pages 14-15, sec. 0011,  
the "...and wherein communicating said portion of said gathered information...", is taught by Kamise at page 12, sec. 0009,  
the "...and said portion of said additional information to said user...", is taught by Kamise at pages 14-15, sec. 0011,  
and the "...comprises communicating said portions to said person to be visited...", is taught by Kamise at page 29, sec. 0030.

15. As per claim 32, the "...said user is a person that said visitor intends to visit...", is taught by Kamise at page 22, sec. 0022.

16. As per claim 34, the "...said additional information comprises information about said visitor is determined from a database accessible to said processor...", is taught by DeLaHuergera at col. 39, lines 14-23 and col. 20, lines 21-24.  
and the "...and storing information about said visitor...", is taught by Kamise at pages 19-20, sec. 0018.

17. Claims 2, 14, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamise and DeLaHuergera as applied to the claims above, and further in view of Takasaki et al. (Japanese Patent JP403129990A only English abstract).

As per claim 2, the "...said information about said visitor is gathered using said at least one sensor....," is taught by Kamise at page 12, sec. 0009, but the "...without said visitor being aware of said gathering....," is not taught by either Kamise or DeLaHuerga.

However, Takasaki teaches the use of gathering information about a visitor without the visitor's knowledge as follows:

"...When visitor M receiving a magnetic card 2 in which essential items relating to the visit are recorded on a central acceptance inserts the card 2 into a magnetic card reader 3, the card reader reads out the recorded data and automatically call the telephone number of the visited destination through a telephone set 4. Simultaneously the visitor's face is picked up by the image pickup camera 6 without allowing the visitor M to be conscious of the image pickup, both the image data are compresses by the image compressor 7 and the compressed image data are recorded by the image data recorder 8. Consequently, the visitor's labor for checking telephone numbers can be omitted and the visitor's data can be automatically stored..." at the Constitution section.

It would have been obvious to one of ordinary skill at the time of the invention to combine Takasaki with Kamise and DeLaHuerga to gather information about visitors without the visitors being aware of this gathering in order to not upset particular visitors and to prevent potential threats from disrupting the information gathering process. Some visitors might be upset about the gathering of personal information and might attempt to avoid having their image captured.

18. As per claim 14, the "...further comprising a telephone interface, configured to communicate a telephone message to a person to be visited that said visitor has arrived....," is taught by Takasaki at the Constitution section.

19. As per claim 17, the "...gathering information about said visitor at said automated kiosk comprises obtaining information from said visitor using a process of which said visitor is aware...", is taught by Kamise at page 12, sec. 0009 and the "...and obtaining information about said visitor using a process of which said visitor is not aware...", is taught by Takasaki at the Constitution section.

20. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kamise and DeLaHuerga as applied to claim 1 above, and further in view of McAlbian (U.S. Patent No. 5,845,261).

As per claim 5, the "...said display is configured to display to said visitor...", is taught by Kamise at page 12, sec. 0009, but the at least one of a greeting, a slide show of product images, advertising, stock values, daily cartoons, and news...", is not taught by either Kamise or DeLaHuerga.

However, McAlbian teaches the use of a greeting that is displayed to the visitor in Figure 5.

It would have been obvious to one of ordinary skill at the time of the invention to combine McAlbian with Kamise and DeLaHuerga to provide a greeting to the visitor. By displaying a greeting to the visitor, the reception machine will welcome visitors to the location. A greeting will serve as a nicety to the invention and probably make the visitors feel more welcome to the location.

21. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kamise and DeLaHuerga as applied to claim 1 above, and further in view of Kanevsky et al. (U.S. Patent No. 6,334,109).

As per claim 8, the "...configured to capture an image of said visitor...", is taught by Kamise at page 12, sec. 0009, but the "...a video camera...", is not taught by either Kamise or DeLaHuerga.

However, Kanevsky teaches the use of a video camera as follows;

"...Local server 107 is connected with the following clients: card readers 101 and 104, cash register 103 and a video camera 102..." at col. 5, lines 12-15.

It would have been obvious to one of ordinary skill at the time of the invention to combine Kanevsky with Kamise and DeLaHuerga to provide a video camera to capture the visitor's images since a video camera can capture the images and is well known in the art.

22. Claims 10 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamise and DeLaHuerga as applied to claim 1 above, and further in view of Motomiya (U.S. Patent No. 6,189,783).

As per claim 10, the "...a visitor wand configured to record experiences of said visitor...", is not taught by either Kamise or DeLaHuerga, but Motomiya teaches the use of a reader-writer wand used to record experiences of visitors as follows:

"...A numeral 13 denotes a reader-writer that radiates weak electric waves 14, through which the information is allowed to be read from or written in a park card 0..." at col. 5, lines 6-8.

"...This attraction guide function is required to record the history of the attractions the user have visited since. This is effective if the part card is used in the succeeding visits..." at col. 10, lines 3-5.

It would have been obvious to one of ordinary skill at the time of the invention to combine Motomiya with Kamise and DeLaHuerga to use a wand to record experiences of visitors in order to use a system to display activities the user has already experienced and provide a record of full enjoyment of these experiences.

23. As per claim 33, the "...said additional information comprises information about said visitor's previous visit..." is taught by Motomiya at col. 10, lines 6-7.

24. Claims 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamise and DeLaHuerga as applied to claim 1 above, and further in view of Coffin et al. (U.S. Patent No. 5,991,429).

As per claim 11, the "...wherein the one or more sensors include a biometric sensor configured to gather biometric information about said visitor..." is not taught by either Kamise or DeLaHuerga.

However, Coffin teaches the use of biometric sensors as follows:

"...Biometric techniques for determining the identity of individuals, such as in security applications, have been well known and in use for some time. To date, biometric techniques have primarily been oriented towards fingerprint analysis rather than the visual recognition of facial images..." at col. 1, lines 5-9.

"...However, several aspects of the systems have not been dealt with: automatically positioning a camera or other, biosensor, enhancing identification accuracy through class sorting, and identifying individual facial features from those subjects wearing eyeglasses..." at col. 1, lines 28-32.

It would have been obvious to one of ordinary skill at the time of the invention to combine Coffin with Kamise and DeLaHuerga to enhance the identification of visitors.

The biometric system extracts particular features of the image and compares these

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features with other images. Through the comparison, the system will identify potential matches for the visitor's identity. The determination of the visitor's identity assisting in determining who the visitor is without entering their name. It allows the system to determine people who may be using false identities. Finally, it allows the system to identify visitors who may be potential threats.

25. As per claim 13, the "...wherein said one or more sensors include a security sensor configured to provide information about potential threats...", is taught by Coffin at col. 1, lines 47-50.

26. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kamise and DeLaHuerga as applied to claim 1 above, and further in view of Bellegarda et al. (U.S. Patent No. 5,502,774).

As per claim 12, the "...a handwriting tablet configured to provide a sample of handwriting of said visitor...", is not taught by either Kamise or DeLaHuerga.

However, Belegarda teaches the use of a tablet to obtain a sample of handwriting as follows:

"...The multiple input user interface is comprised of, for example, a handwriting transducer 215a, typically an electronic tablet and stylus, a speech transducer 215b, typically embodied as a microphone coupled to an analog to digital converter, and a generic transducer 215c, designated with a \* to symbolize that the message recognition system 200 contemplates being capable of receiving a variety of different sources of information..." at col. 7, lines 1-8.

It would have been obvious to one of ordinary skill at the time of the invention to combine Bellegarda with Kamise and DeLaHuerga since a sample of handwriting such

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as the signature of the visitor could be used to identify the visitor in order to provide another means of confirming to visitor's identity.

27. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kamise and DeLaHuerga as applied to claim 1 above, and further in view of Shaw et al. (U.S. Patent No. 6,349,297).

As per claim 19, the "...obtaining said additional information comprises at least one of performing a search on the Internet, searching a publicly available database....," is taught by DeLaHuerga at col. 23, lines 44-49, col. 17, lines 60-52, and col. 20, lines 21-24.

the "...searching a database of visitor information obtained from said automated

kiosk....," is taught by Kamise at pages 19-20, sec. 0018,

but the "...and searching a local document database....," is not taught by either Kamise or DeLaHuerga.

However Shaw teaches searching document databases as follows:

"...However, cost performance for document database and processing applications can be dramatically improved, provided systems have internal ability to retain the initial document request and subject of interest, then accurately search through all possible reference resources and analyze and identify the most suitable target material, finally authorize specific procedural and/or instruction steps for each document request..." at col. 5, lines 60-67.

It would have been obvious to one of ordinary skill at the time of the invention to combine Shaw with Kamise and DeLaHuerga to provide additional information about a visitor to the site and the organization, which they represent from information in the



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public domain in order to better prepare the person receiving the visitor for their meeting.

28. Claims 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamise and DeLaHueraga as applied to claim 1 above, and further in view of Markus et al. (U.S. Patent No. 6,490,601).

As per claim 36, the "...the data processing system..." is taught by Kamise at page 4, figure item 400,

the "...indicative of one or more persons visited by the visitor..." is taught by Kamise at page 15, sec. 0012,

but the "...is configured to generate a web page for the visitor..."

and the "...web page storing information..." are not taught by either Kamise or DeLaHueraga.

However Markus teaches the generation of web pages, which are made available for users as follows:

"Many Internet Web pages are composite pages, requiring information in the form of images, text, and/or code to be pulled from several different remote Internet resources..." at col. 2, lines 1-4.

"A cookie is an identifier assigned by a Web site, whether a Web server or a server such as the privacy bank server, to a user/visitor when the user visits the Web site for the first time in a given session (the time from which a user logs onto the Web and the time he or she exits the Web by exiting the browser)..." at col. 10, lines 17-22.

It would have been obvious to one of ordinary skill at the time of the invention to combine Markus with Kamise and DeLaHueraga to provide a system the capability of the

generation of web pages to present information to the visitor in order to use modern technology to produce a visitor friendly display. The use of web page technology provides a fast and flexible means of developing a display for the visitor, which may be customized to meet the requirements of the organization or persons visited.

29. As per claim 37, the "...wherein the web page is accessible by the visitor..." is taught by Markus at col. 2, lines 1-4 and col. 10, lines 17-22.

30. As per claim 38, the "...comprising an output device configured to output information to the visitor..." is taught by Kamise at page 15, sec. 0012,

the "...information output by the output device..." is taught by Kamise at page 15, sec. 0012,

the "...being customized for the visitor..." is taught by Markus at col. 19, lines 34-40 and col. 10, lines 17-22,

the "...based upon the information provided by the visitor using the one or more input devices..." is taught by Kamise at page 15, sec. 0012,

the "...information about the visitor captured by the one or more sensors..." is taught by Kamise at page 12, sec. 0009,

and the "...additional information..." is taught by DeLaHuerga at col. 39, lines 14-23.

31. Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kamise (Unexamined Japanese Patent JP 10246041A Machine Assisted Translation) and Motomiya et al. (U.S. Patent No. 6,189,783).

32. Kamise renders obvious independent claim 39 by the following:

"...the information provided by the visitor using the at least one input device..." at page 15, sec. 0012.

"...and the information gathered by the at least one sensor..." at page 12, sec. 0009.

"...is used to identify the visitor..." at pages 24 and 25, sec. 0024.

Kamise does not teach the use of office appliances.

33. However, Motomiya teaches the use of office appliances as follows:

"...at an office appliance..." at col. 5, lines 6-8 and col. 10, lines 3-5.

It would have been obvious to one of ordinary skill at the time of the invention to combine Motomiya with Kamise to use a wand to record experiences of visitors in order to use a system to display activities the user has already experienced and provide a record of full enjoyment of these experiences.

It would have been obvious to one of ordinary skill at the time of the invention to combine Motomiya with Kamise to use a wand to record information on visitors in order to use a system to list the activities the user wishes to participate in.

### ***Response to Arguments***

34. Applicants' arguments filed 16 June 2004 have been fully considered but they are not persuasive. In the first argument for independent claim 1 on page 10, paragraph 5 and page 11, paragraph 1, the Applicants state:

"It appears that the Examiner has compared the "consumer demographic information" described in Collart to the "additional information" recited in claim 1. Applicants respectfully submit that such a comparison is incorrect. Applicants submit that the demographic information in Collart is provided by the user to the De Lapa system. The demographic information may also be contained in a barcode printed on a coupon and is captured at the store level. Accordingly, the demographic information is something that is either provided by the user or captured input devices or sensors of the De Lapa system. This is substantially different from the "additional information" recited in claim 1

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where the additional information comprises information about said visitor that is not provided by the user to the visitor information gathering apparatus and is not captured or gathered by sensors or input devices of the visitor information gathering apparatus. Applicants thus respectfully submit that the demographic information of Collart is not the same as the "additional information" recited in claim 1. Applicants accordingly submit that the features of claim 1 that recite "additional information" are not taught by Collart. Applicants further submit that this deficiency of Collart is not corrected by Kamise (as acknowledged by the Examiner). Applicants thus submit that even if Kamise and Collart were combined, the resultant combination would fail to teach or suggest the "additional information" feature of claim 1. Applicants thus respectfully submit that claim 1 is patentable over Kamise and Collart."

The Examiner disagrees. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection. The Collart reference has been replaced by one from DeLaHuerga. The term "additional information" is vague and this limitation may be met by any related reference that teaches the use of additional information.

35. In the second argument for independent claim 1 on page 12, paragraphs 3 and 4, the Applicants state:

"In contrast, the present invention recited in claim 1 relates to visitor information gathering apparatus that is configured to collect information on visitors to a facility. The visitor information gathering apparatus recited in claim 1 comprises input devices and sensors that capture information about a visitor. The visitor information gathering apparatus in claim 1 is further configured to determine "additional information" about the visitor that comprises information that is not provided to or gathered by input devices or sensors of the visitor information gathering apparatus (i.e., the additional information comprises information that is different from the information provided to or gathered by the visitor information gathering apparatus).

The present invention, as recited in claim 1, thus relates to a system for gathering information about visitors -- it is not concerned whatsoever with tracking and distribution of content on electronic storage media or providing security and retail-related (e.g., coupon dispensing and tracking) services. On the other hand, Collart is not concerned at all about gathering information about visitors to a facility. Accordingly, Applicants submit that Collart is not in the field of the Applicants' endeavor."

The Examiner disagrees. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection. The Collart reference has been replaced by one from DeLaHueraga. Since DeLaHueraga teaches the obtaining of additional information through the use of wrist bracelets worn by potential patients to doctor's offices, clinics, or hospitals this indeed provides additional information, which is not available from normal check-in procedures and a patient would surely be considered a visitor to the medical facility.

36. In the third argument for independent claim 1 on page 13, paragraphs 3 and 4, the Applicants state:

"Collart, on the other hand, is not concerned at all about gathering information about visitors to a facility. As stated above, Collart relates to a distribution and tracking system that utilizes a set of bits on an electronic medium to track and control use of content electronically. Thus, Collart provides a solution to tracking of electronic storage medium and its contents. The techniques disclosed in Collart allow a merchant to secure and identify its merchandise, maintain security of electronic content medium, track packages of electronic content media, and provide retail services. Accordingly, the present invention recited in claim 1 and Collart relate to completely different fields and have different purposes. Further, the problems that the present invention as recited in claim 1 and Collart attempt to resolve are also completely different. Accordingly, Collart would not have commended itself to the attention of inventors of the present invention as recited in claim 1."

The Examiner disagrees. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection. The Collart reference has been replaced by one from DeLaHueraga. The DeLaHueraga invention teaches about a data collection device and system, which is clearly analogous to the data collection of the kiosk described in the proposed invention. The patients at a medical facility are clearly analogous to visitors at a facility claimed in the proposed invention.

37. In the fourth argument for independent claim 1 on page 13, paragraph 5 and page 14, paragraph 1, the Applicants state:

"A basic criteria for establishing a prima facie case of obviousness is that there must be some suggestion or motivation, whether in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. (See MPEP 2143). Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. (See MPEP 2143.01). Absent such a showing in the prior art, the examiner has impermissibly used "hindsight" by using the applicant's teaching as a blueprint to hunt through the prior art for the claimed elements and combine them as claimed. *In re Zurko*, 111 F.3d 887; *In re Vaeck*, 947 F.2d 488. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. (See MPEP 2143.01 citing *In re Mills*, 916 F.2d 680)."

The Examiner disagrees. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection. The Collart reference has been replaced by one from DeLaHueriga. This office action states that would have been obvious to one of ordinary skill at the time of the invention to combine DeLaHueriga with Kamise to provide additional information from wrist bracelets with an imbedded chip in order to provide doctors with additional details on the medical history of the visitor. Identification information stored on the chip allows the access of information across a web interface allows the system to access information that is not stored on the local database. In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made,

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and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

38. In the fifth argument for independent claim 1 on page 14, paragraph 4, the Applicants state:

"The coupon dispensing and tracking systems described in cols. 15, 16, 17, and 18 of Collart are substantially different (in their configuration, intended purpose, use, and function) from the reception system of Kamise and thus do not provide a sufficient basis for combining the references. Further, since Kamise and Collart relate to different fields and arts, Applicants submit that one of ordinary skill in the relevant art would be not be motivated to combine the two references."

The Examiner disagrees. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection. The Collart reference has been replaced by one from DeLaHueriga. This argument is essentially a restatement of the third and fourth arguments. For this reason, the combined responses to the third and fourth arguments fully cover this argument.

39. In the sixth argument for claims 2-19, 24, and 32-38 on page 15, paragraph 2, the Applicants state:

"Applicants respectfully submit that independent claims 16, 24, and 35 are also allowable for at least a similar rationale as discussed above for allowing claim 1, and others. Applicants further submit that dependent claims 2-15 and 32-34, 17-19, and 36-38 which depend from claims 1, 16, and 35 respectively, are also allowable for at least a similar rationale as discussed for allowing claims 1, 16, and 35, and others."

The Examiner disagrees. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection. The responses to the first five arguments have clearly shown that independent claim 1 remains rendered obvious by Kamise and DeLaHueriga. Furthermore, all of the features of independent

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claims 16, 24, and 35 are taught by either one or both of Kamise and DeLaHuerga.

Likewise, since independent claims 1, 16, and 35 are rendered obvious by Kamise and DeLaHuerga, claims 2-15 and 32-34 depend on independent claim 1, claims 17-19 depend of independent claim 16, claims 36-38 depend on independent claim 35, and no additional arguments have been provided for any of the dependent claims, claims 2-15, 17-19, 32-34, and 36-38 are still rendered obvious.

40. In the seventh argument for claim 7 on page 15, paragraph 4, the Applicants state:

"For example, claim 9 recites a "speaker" that is configured to output directions to reach the person to be visited. The Office Action contends that this feature is taught by Kamise at pages 14-15, sec. 0011. This section of Kamise however only seems to suggest that a map of a hall and a destination map are printed. Claim 9 however recites that the directions are output via a speaker -- i.e., output in audio form -- not in print form. Kamise does not teach outputting the directions via a speaker. This deficiency of Kamise is not corrected by Collart. Accordingly, even if Kamise and Collart were combined, the resultant combination would fail to disclose this feature of claim 9."

The Examiner disagrees. The printing of a map performs exactly the same function as providing directions via a speaker. For this reason claim 9 is still rendered obvious.

41. In the eighth argument for claim 36 on page 15, paragraph 6, the Applicants state:

"...Applicants submit that Markus is non-analogous prior art. Markus is related to techniques for automatically inserting data into electronic forms on a computer and is not in the field of the applicant's endeavor of providing a system for gathering visitor information. Markus is not reasonably pertinent to the particular problem with which the invention (as recited in claim 36) is concerned."

The Examiner disagrees. DeLaHuerga teaches the use of the Internet to obtain additional information about patients. The use of web pages and the inserting of data



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into web pages is a natural extension of the use of the Internet as taught by DeLaHuerga.

42. In the ninth argument for claim 36 on page 15, paragraph 7, the Applicants state:

"Applicants submit that there is no suggestion, either implicit or explicit, in Kamise, Collart, and Markus to combine the references. Applicants request the Examiner to provide a basis for the combination."

The Examiner disagrees. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection. This office action states that it would have been obvious to one of ordinary skill at the time of the invention to combine Markus with Kamise and DeLaHuerga to provide a system the capability of the generation of web pages to present information to the visitor in order to use modern technology to produce a visitor friendly display. The use of web page technology provides a fast and flexible means of developing a display for the visitor, which may be customized to meet the requirements of the organization or persons visited.

43. In the tenth argument for claim 36 on page 16, paragraph 1, the Applicants state:

"Even if the references were combined, the resultant combination does not disclose claim 36. Claim 36 recites a data processing system that is configured to generate a web page for the visitor, where the generated web page stores information indicative of one or more persons visited by the visitor. The use of web pages is well known. However, claim 36 recites the generation of a web page with specific content, i.e., a web page storing information indicative of one or more persons visited by the visitor. This is not shown by Markus."

The Examiner disagrees. Markus teaches generation of a web page as follows:

"Many Internet Web pages are composite pages, requiring information in the form of images, text, and/or code to be

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pulled from several different remote Internet resources..." at col. 2, lines 1-4.

The phrase "with specific content" is not used in claim 36. Markus teaches using the web page to store information as follows:

"...Another method for assisting a user in filling out an electronic form document is referred to as the "transactor" method, which may be found, for example, at "Transactor Networks" located at <http://www.transactor.net>. This method differs from the wallet method in that the user is not required to download or install any software onto his or her computer. Instead, personal information items are input and stored in a database on a remote server, which is then accessed every time an electronic form document is to be filled..." at col. 3, lines 38-47.

44. In the eleventh argument for claim 38 on page 16, paragraph 3, the Applicants state:

"Applicants submit that Markus is non-analogous prior art, as previously described."

The Examiner disagrees. This argument is essentially a repeat of the eighth argument.

For this reason, the response to the eighth argument is valid for the eleventh argument.

45. In the twelfth argument for claim 38 on page 16, paragraph 4, the Applicants state:

"Applicants submit that there is no suggestion, either implicit or explicit, in Kamise, Collart, and Markus to combine the references, as previously described."

The Examiner disagrees. This argument is essentially a repeat of the ninth argument.

For this reason, the response to the ninth argument is valid for the twelfth argument.

46. In the thirteenth argument for claim 38 on page 16, paragraph 5 and page 17, paragraph 1, the Applicants state:

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"Claim 38 recites an "output device" that is configured to output information that is customized for the visitor based on information provided to or captured by input devices and sensors of the apparatus and based upon additional information. Applicants submit that the feature of outputting customized information for a user is not taught by Markus as contended in the Office Action."

The Examiner disagrees. Marcus teaches the use of customized interfaces as follows:

"...Auxiliary I/O device interface 926 represents general and customized interfaces that allow the CPU 902 to send and, more typically, receive data from other devices such as microphones, touch-sensitive displays, transducer card readers, tape readers, voice or handwriting recognizers, biometrics readers, cameras, portable mass storage devices, and other computers..." at col. 19, lines 34-40.

A customized interface would provide the users with customized information.

### ***Conclusion***

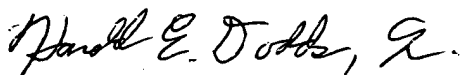
47. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


48. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harold E. Dodds, Jr. whose telephone number is (571)-272-4110. The examiner can normally be reached on Monday - Friday 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (571)-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Harold E. Dodds, Jr.  
Patent Examiner  
December 2, 2004



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PRIMARY EXAMINER